United Nations S/2011/389

Security Council

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Colombia, Gabon, Nigeria, South Africa and United States of America: draft resolution

The Security Council,

Recalling its previous resolutions and its presidential statements on the situation in Sudan, and noting the priority it attaches to the implementation of the Comprehensive Peace Agreement,

Reaffirming its commitment to the principles of sovereignty and territorial integrity; and to peace, stability and security throughout the region,

Reaffirming its previous resolutions 1674 (2006) and 1894 (2009) on the protection of civilians in armed conflict, 1882 (2009) on children in armed conflict, 1502 (2003) on the protection of humanitarian and United Nations personnel, and 1325 (2000), 1820 (2008), 1888 (2009), and 1889 (2009) on women peace and security,

Welcoming the Agreement between the Government of Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area reached on 20 June 2011 in Addis Ababa, Ethiopia,

Commending the assistance provided to the parties by the African Union High Level Implementation Panel and its chair President Thabo Mbeki, Ethiopian Prime Minister Meles Zenawi and Special Representative of the Secretary-General Haile Menkerios,

Noting the Government of Sudan and the Sudan People's Liberation Movement's request for the assistance of the Government of Ethiopia with regard to this matter,

Noting the readiness of the United Nations and the international community to assist the parties in establishing and implementing mutual security arrangements in support of the objectives of the Comprehensive Peace Agreement,

Bearing in mind the importance of coherence of UN assistance in the region,

Deeply concerned by the current situation in the Abyei Area, and by all acts of violence committed against civilians in violation of international humanitarian law and human rights law including the killing and displacement of significant number of civilians,

Reaffirming the importance of full and urgent implementation of the Comprehensive Peace Agreement by both parties,

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Calling on all parties involved to provide humanitarian personnel with full and unimpeded access to civilians in need of assistance and all necessary facilities for their operations, in accordance with international humanitarian law,

Urging all parties to facilitate the rapid return of internally displaced persons,

Noting the intent of the parties to establish a special unit of the Abyei Police Service which shall deal with particular issues related to nomadic migration,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all of its peacekeeping operations,

Calling upon all parties to engage constructively in negotiations towards the final agreement on the status of Abyei,

Recognizing that the current situation in Abyei demands an urgent response and constitutes a threat to international peace and security,

1. *Decides* to establish, for a period of 6 months, the United Nations Interim Security Force for Abyei (UNISFA), taking into account the Agreement between the Government of Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area, and *further decides* that UNISFA shall comprise a maximum of 4200 military personnel, 50 police personnel, and appropriate civilian support;

2. *Decides* that UNISFA shall have the following mandate, in addition to tasks set out in paragraph 3:

(a) Monitor and verify the redeployment of any Sudan Armed Forces, Sudan People's Liberation Army or its successor, from the Abyei Area as defined by the Permanent Court of Arbitration; henceforth, the Abyei Area shall be demilitarized from any forces other than UNISFA and the Abyei Police Service;

(b) Participate in relevant Abyei Area bodies as stipulated in the Agreement;

(c) Provide, in cooperation with other international partners in the mine action sector, de-mining assistance and technical advice;

(d) Facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel in coordination with relevant Abyei Area bodies as defined by the Agreement;

(e) Strengthen the capacity of the Abyei Police Service by providing support, including the training of personnel, and coordinate with the Abyei Police Service on matters of law and order; and

(f) When necessary and in cooperation with the Abyei Police Service, provide security for oil infrastructure in the Abyei Area;

3. *Acting* under Chapter VII of the Charter of the United Nations, authorizes UNISFA within its capabilities and its area of deployment to take the necessary actions to:

(a) Protect UNISFA personnel, facilities, installations, and equipment;

(b) Protect United Nations personnel, facilities, installations, and equipment;

(c) Ensure the security and freedom of movement of United Nations personnel, humanitarian personnel and members of the Joint Military Observers Committee and Joint Military Observer Teams;

(d) Without prejudice to the responsibilities of the relevant authorities, to protect civilians in the Abyei Area under imminent threat of physical violence;

(e) Protect the Abyei Area from incursions by unauthorized elements, as defined in the Agreement; and

(f) Ensure security in the Abyei Area;

4. *Requests* that the Secretary-General and the Government of Sudan, in consultation with the Government of Southern Sudan or its successor, conclude a status-of-forces agreement immediately after the adoption of this resolution, taking into consideration General Assembly resolution 64/77 on the safety and security of humanitarian personnel and protection of United Nations personnel, and, *acting* under Chapter VII of the Charter of the United Nations, *decides* that, until such an agreement is concluded, the status-of-forces agreement for the United Nations Mission in Sudan (UNMIS) shall apply mutatis mutandis in respect of UNISFA;

5. *Calls on* all Member States to ensure the free, unhindered and expeditious movement to and from Abyei of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles and spare parts, which are for the exclusive and official use of UNISFA;

6. *Underscores* the imperative of expeditious deployment of UNISFA and *urges* the Secretary-General to take necessary steps to ensure rapid and efficient implementation;

7. *Urges* the Government of Sudan and the Government of Southern Sudan or its successor to fully cooperate with each other and provide full support to UNISFA, enabling it to fully implement the mandate;

8. *Stresses* that improved cooperation between the Government of Sudan and Government of Southern Sudan or its successor, is also critical for peace, security and stability and the future relations between them;

9. *Calls upon* the Government of Sudan and the Government of Southern Sudan or its successor urgently to fulfil their commitment under the CPA to resolve peacefully the final status of Abyei, and *calls upon* them to consider in good faith proposals the African Union High Level Implementation Panel shall make to resolve this matter;

10. *Requests* the Secretary-General to ensure that effective human rights monitoring is carried out, and the results included in his reports to the Council;

11. *Requests* the Secretary-General to keep the Council regularly informed of the progress in implementing the Agreement and to report to the Council no later than thirty days after the adoption of this resolution and every 60 days thereafter;

12. *Decides* to review UNISFA's role in the implementation of the Agreement not later than 3 months after adoption of this resolution;

13. *Requests* the Secretary-General to take the necessary measures to ensure full compliance of UNISFA with the United Nations zero tolerance policy on sexual exploitation and abuses and to keep the Council informed if cases of such conduct occur;

14. *Decides* to remain actively seized of matter.